

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RICARDO A. DE LOS SANTOS :
MORAS, :
 :
Plaintiff, :
 :
v. : Civ. Action No. 06-046-JJF
 :
A. SCOTT DAVIS, :
 :
Defendant. :

ORDER

At Wilmington this 4 day of September, 2007, the Complaint in the above-captioned case having been filed on October 30, 2006, and Plaintiff having failed to respond and show cause why this case should not be dismissed for failure to serve process on A. Scott Davis as is required by statute;

IT IS ORDERED that this case is DISMISSED WITHOUT PREJUDICE for failure to serve process within 120 days of filing the complaint as required by Fed. R. Civ. P. 4(m). Plaintiff is not required to pay the balance of the filing fee owed. The Clerk of the Court is directed to send a copy of this Order to the appropriate prison business office.

September 4, 2007
DATE


UNITED STATES DISTRICT JUDGE